\\GENEVA-RP-DC-01\Shared\Common\Administration\Logos\government offices of Sweden 2.eps

|  |  |
| --- | --- |
|  |  |
| 3 February 2017 |  |
|  |  |
|  | Ref; Your Note Verbal  of 22 December 2016 |

|  |  |
| --- | --- |
|  | To: Office of the High Commissioner for Human Rights |

Impact of arms transfers on human rights, answers from the Swedish Government

Questionnaire for Member States for the OHCHR Report

1. Arms in general can impact the enjoyment of human rights in two opposite ways. They can be used as tools for the repression of human rights, but also, in the hands of responsible governments, be an integral part of those governments’ efforts to safeguard their citizens’ human rights. Consequently, arms transfers can impact on the enjoyment of human rights in the same two ways.
2. Arms transfers are assessed on a case-by-case basis. The impact that a proposed transfer may have on the enjoyment of human rights is an important part of that assessment. During the examination Swedish authorities apply the Swedish legislation and Guidelines for exports of military equipment, the EU Common Position concerning exports of military technology and equipment, and the Arms Trade Treaty. All these regulatory frameworks stress the need to consider human rights when assessing whether an arms transfer is possible. A variety of sources are used to assess human rights-related factors, including analysis from the Swedish Ministry for Foreign Affairs, international reports, and information from intelligence agencies.
3. Not applicable
4. Yes, not infrequently. There could be various reasons for a refusal, e.g. if there are widespread and serious violations of human rights in a proposed destination country, if there is a clear risk that the arms could be used by the recipient for internal repression, or more specifically to commit or facilitate a serious violation of international human rights law.
5. Yes, on occasion.